

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Crl.Misc.No.77012-M of 2006

DATE OF DECISION: DECEMBER 7, 2006

Devinder Kumar

...PETITIONER

VERSUS

State of Haryana and others

...RESPONDENTS

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. R.K. Dahiya, Advocate,
for the petitioner.

...

The petitioner has filed this petition under Section 482 Cr.P.C. for issuing direction to respondent No.2 to change the investigating officer and further to ensure addition of Sections 364 and 395 Cr.P.C. in case FIR No.597 dated 25.11.2006, which are made out on the basis of the statement of the petitioner and to ensure fair investigation in the matter.

After hearing the counsel for the petitioner and going through the contents of the petition, I do not find any ground at this stage to issue direction for change of the Investigating Officer and to add the aforesaid offences. The aforesaid FIR was just registered on 25.11.2006. At this stage, it cannot be said that the investigation is not being conducted fairly. Even no specific mala fide has been alleged against the local police. In these facts and circumstances, I do not find any ground to issue the aforesaid direction at this stage as in my opinion, the same will amount to unjustified interference in the investigation.

Dismissed.

December 7, 2006
vkg

(SATISH KUMAR MITTAL)
JUDGE